




FARMINGTON POLICE DEPARTMENT

POLICY AND PROCEDURE

	Policy Number: 261-04	Effective Date: 04/26/2017	
	Subject: Officer/Traffic Violator Relations		
	Approved by:  Steven D. Hebbe, Chief of Police		

PURPOSE:

To establish guidelines for officers during their contact with traffic violators and for the information provided to the motorists at the time of enforcement.

POLICY:

It is the policy of the Farmington Police Department that officers make each violator contact an educational one and attempt to leave the violator with adequate information necessary to correctly satisfy the legal requirements of the enforcement action in a timely manner. Officers should also leave the violator with the impression that they have performed a necessary task in a professional manner.

PROCEDURE:

Once the officer has stopped the violator, the guidelines of officer/violator relations are activated. The officer will:

1. Be alert but not obviously apprehensive;
2. Be certain the observations of the traffic violation were accurate;
3. Present a professional image in dress, grooming, language, bearing, and emotional stability;
4. Be prepared for the contact by having the necessary equipment and forms immediately available;
5. Decide on an appropriate enforcement action based upon the violator's driving behavior;
6. Greet the violator with the appropriate title in a courteous manner;
7. Inform the violator what traffic law they have violated and the intended enforcement action, minimizing any suspense and apprehension the violator may be experiencing;
8. Ask for the violator's driver's license, vehicle registration and insurance card;
9. Obtain other documents of identification if the driver has no driver's license;

10. Refrain from arguing with, berating, belittling, or otherwise verbally abusing the violator;
11. Complete, in a timely manner, the required forms for the enforcement action taken or the administration of a verbal warning;
12. Explain to the violator exactly what their responsibility in response to the enforcement action taken is, such as where and when to appear if the enforcement action requires a court appearance. Explain any alternatives to the violator, but do not predict the action of the court;
13. Check for signs of physical impairment, emotional distress, and alcohol and/or drug use;
14. Be alert to any emotional stress exhibited by the driver. If stress is present, the instructions may have to be repeated or the violator may need to calm down before they resume driving;
15. Return all documents obtained from the violator and a copy of the warning or citation;
16. Assist the violator in safely reentering the traffic flow.

When issuing a citation to the violator, the officer will provide adequate information to the driver regarding the correct manner in which to fulfill the legal obligations of the citation.

1. For those violations considered to be "moving violations", with the exception of Seat Belt, Child Restraint, Careless Driving, Reckless Driving, violations incurred through leaving the scene of an accident, and violations resulting in accidents involving great bodily harm or injury, which require a court appearance, the officer will provide the violator with the option of selecting the "Penalty Assessment" or the "Court Appearance" according to the dictates of either the Municipal or Magistrate Court affected by the violation.
2. The officer will provide adequate information regarding the "Penalty Assessment" and "Court Appearance". In order for the violator to make an educated decision as to which option best suits their individual needs and wishes;
3. For those violations which encompass the licensing of drivers, the insuring, registering, and required equipment of vehicles, along with the violations of Seat Belt, Child Restraint, Careless Driving, Reckless Driving, violations incurred through leaving the scene of an accident, and violations resulting in accidents involving great bodily harm or injury, the officer shall provide the "Court Appearance" option only;
4. When a violator chooses the "Penalty Assessment" option, the officer will inform the violator of the amount of the penalty assessment and the correct mailing address of the court along with the location on the citation where the address can be found. The officer will provide to the violator a pre-addressed envelope of the court if one is available. The officer will verbally inform the violator that they have 30 days from the date of the violation to fulfill their obligation by the delivery of the required penalty amount to the affected court. Officers will adequately explain the repercussions of failure to meet the required obligations in a timely manner; i.e., the suspension of driving privileges, and the issuance of Arrest Warrants;

5. When a violator chooses the "Court Appearance" option, the officer will inform the violator of the address of the court and the location on the citation where the address can be found. The officer will verbally explain and document on the citation that the violator must respond to the court within 7 business days but not more than 29 calendar days immediately following the date of the violation during the hours of normal operation of the court. Officers will adequately explain the repercussions of failure to meet the required obligations in a timely manner; i.e., the suspension of driving privileges, and the issuance of Arrest Warrants;
6. The officer will inform the violator of their options regarding the court appearance; i.e, a plea of "Guilty", a plea of "Not Guilty", or a plea of "No Contest", and will offer adequate explanation of each.